

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION - COLUMBUS**

KAID C. MUSGRAVE, and his parents CATHY A. MUSGRAVE and TOM R. MUSGRAVE Plaintiffs, vs. BREG, INC., Defendant.	Case No. 2:09-cv-1029 Judge: Gregory L. Frost Magistrate: Mark P. Abel
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DECLARATION OF MARK A. ROBERTS.

I Mark A. Roberts, M.D., PhD, MPH, Med, FACOEM state and declare as follows pursuant to 28 U.S.C. § 1746:

1. I have been retained by Breg, Inc. as an expert in the above-captioned case. I am over eighteen years of age, am fully competent to make this declaration, and do so on personal knowledge. I submit this declaration in opposition to Plaintiffs' Motion for Partial Summary Judgment.

2. In connection with this case and pursuant to Federal Rule of Civil Procedure 26(a)(2), I prepared and submitted an Expert Report with appendices A-D dated January 11, 2011. A true and correct copy of my Expert Report (with appendices) is attached hereto as ***Exhibit 1***, and the same is fully incorporated and adopted by reference herein.

**I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING
IS TRUE AND CORRECT.**

Executed on 6/1/, 2011, at Wood Dale, Illinois.


Mark A. Roberts